



**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATION**

IN RE APPLICATION OF: Robert J. Sicurelli, Jr. and Samuel Masyr

APPLICATION NO.: 09/990,932

FILED: November 21, 2001

FOR: FLEXIBLE POST IN A DENTAL POST AND CORE SYSTEM

The owner Robert J. Sicurelli, Jr. and Samuel Masyr of 100% interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on U.S. patent nos. 5,741,139 filed on May 20, 1996 as serial number 651,805, as a second application and upon U.S. Patent No. 5,919,044, filed on November 28, 1997 as serial number 08/978,857 as a third application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the aforementioned patents, granted on the second and third applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the patents granted on the second and third applications, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

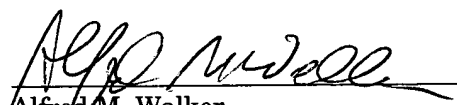
___ For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.) the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

-OR-

X The undersigned is an attorney of record.

DATED: February 26, 2004


Alfred M. Walker
Reg. No. 29,983

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